

## Message Text

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FM AMEMBASSY LISBON

TO SECSTATE WASHDC 2770

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E.O. 11652: N/A

TAGS: PGOV, PO, CV

SUBJ: ELIGIBILITY OF CANDIDATES IN CAPE VERDE ELECTIONS

REF: (A) LISBON 2357

(B) STATE 109809

1. TITLE IV OF DECREE-LAW 203-A/75/STATES THAT THE CAPE VERDE ISLANDS SHALL BE DIVIDED INTO ELECTION DISTRICTS (CIRCULOS). ELECTION DISTRICTS SHALL NOT EXIST OUTSIDE CAPE VERDE, AND OVERSEAS ELECTORS MAY EXERCISE THEIR RIGHT TO VOTE ONLY FOR CANDIDATES PRESENTED IN THE ELECTION DISTRICT OF THEIR BIRTH-PLACE. OVERSEAS VOTERS DO NOT HAVE THE RIGHT TO PRESENT CANDIDATES. EACH DISTRICT SHALL HAVE ON DEPUTY FOR EACH 3000 REGISTERED ELECTORS OR REMAINING NUMBER ABOVE 1500. THE MINIMUM NUMBER OF DEPUTIES PER DISTRICT IS TWO. ELIGIBILITY OF CANDIDATES FOR CAPE VERDE ELECTIONS IS GOVERNED BY TITLE IV CHAPTER II OF DECREE-LAW 203-A/75. TRANSLATION FOLLOWS:

2. BEGIN TEXT: ARTICLE 48 (PRESENTATION OF CANDIDATES) (1)  
CANDIDATES WILL BE PRESENTED IN EACH ELECTION DISTRICT (CIRCULO) BY GROUPS OF 300 REGISTERED ELECTORS OF THE RESPECTIVE DISTRICT.  
(2) NO ELECTOR MAY ENDORSE MORE THAN ONE LIST OF CANDIDATES.

3. ARTICLE 49 (PROHIBITION OF MORE THAN ON CANDIDACY)  
UNDER THE PENALTY OF INELIGIBILITY, NO ONE MAY BE A CANDIDATE  
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IN MORE THAN ON ELECTORAL DISTRICT OR APPEAR ON MORE THAN ONE

LIST.

4. ARTICLE 50 (PRESENTATION OF CANDIDATES) (1) CANDIDATES MAY BE PRESENTED UNTIL A DATE SET BY THE TRANSITIONAL GOVERNMENT AND PRESIDENT OF THE CAPE VERDIAN ELECTORAL COMMISSION (CVEC). (2) AFTER THE PERIOD FOR LIST PRESENTATION CLOSES, THE PRESIDENT OF THE CVEC SHALL MAKE PUBLIC ALL LISTS SUBMITTED.

5. ARTICLE 51 (FORMAL REQUISITES FOR PRESENTATION) (1) PRESENTATION SHALL CONSIST OF A LIST CONTAINING THE NAME, FAMILY INFORMATION, BIRTHPLACE, PROFESSION, AND RESIDENCE OF CANDIDATES AND A SIGNED DECLARATION WHICH ACCEPTS THEIR CANDIDACY. (2) EACH LIST SHALL CONTAIN SUFFICIENT PROOF OF THE CANDIDATE ELIGIBILITY.

6. ARTICLE 52 (AGENTS FOR LISTS). (1) CANDIDATES OF EACH LIST SHALL DESIGNATE AMONG THEMSELVES OR AMONG THE ELECTORS REGISTERED IN THEIR DISTRICT, AN AGENT TO REPRESENT THEM IN ALL ELECTORAL OPERATIONS. (2) THE AGENT'S HOME WILL ALWAYS BE KNOWN AND, IN CASE HE DOES NOT RESIDE IN THE HEADQUARTERS OF THE DISTRICT, HE SHALL CHOOSE A DOMICILE THERE FOR NOTIFICATION PURPOSES.

7. ARTICLE 53 (AUTHENTICATIION OF CANDIDATES) TWO DAYS AFTER THE END OF THE PERIOD FOR PRESENTING CANDIDATES, THE CVEC SHALL VERIFY THE AUTHENTICITY OF DOCUMENTS AND ELIGIBILITY OF CANDIDATES.

8. ARTICLE 54 (PROCEDURAL IRREGULARITIES) IN CASE OF IRREGULARITIES, THE CVEC MUST IMMEDIATELY NOTIFY THE RESPECTIVE LIST AGENT IN ORDER TO CORRECT THE IRREGULARITY WITHIN 24 HOURS.

9. ARTICLE 55 (REJECTION OF CANDIDATES) (1) LISTS WITH THE INCORRECT NUMBER OF CANDIDATES FOR THE DISTRICT OR WITH INELIGIBLE CANDIDATES SHALL BE REJECTED. (2) IN CASE OF REJECTION OF INELIGIBLE CANDIDATES, THE LIST AGENT SHALL BE IMMEDIATELY NOTIFIED IN ORDER TO MAKE A SUBSTITUTION WITHIN 48 HOURS OR FACE REJECTION OF THE ENTIRE LIST. (3) AT THE END OF THE ABOVE 48 HOUR PERIOD, THE PRESIDENT OF THE ELECTORAL COMMISSION MUST WITHIN 24 HOURS MAKE PUBLIC THE NEW LIST.

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10. ARTICLE 56 (COMPLAINTS) (1) ELECTORAL COMMISSION DECISIONS PERTAINING TO THE PRESENTATION OF CANDIDATES MAY BE CHALLENGED WITHIN 24 HOURS OF SAID DECISION BY THE COMMISSION ITSELF, THE LIST AGENT, OR CANDIDATES. (2) THE COMMISSION MUST MAKE A FINAL DECISION WITHIN 72 HOURS. (3) FINAL LISTS SHALL BE MADE PUBLIC AFTER THE EXHAUSTION OF CHALLENGES AND ALL FINAL DECISIONS ARE MADE.

11. ARTICLE 57 (ORDER OF LISTS ON BALLOT) FOLLOWING THE PUBLICATION OF FINAL LISTS, THE ELECTORAL COMMISSION SHALL RANDOMLY SLEECT THE ORDER IN WHICH THE LISTS WILL APPEAR ON THE BALLOT. THIS SHALL BE DONE IN THE PRESENCE OF ALL LIST AGENTS IN THE DISTRICT.

12. ARTICLE 58 (NEW PUBLICATION OF LISTS) ELECTION LISTS SHALL BE POSTED ON THE DOOR OF AND INSIDE ELECTION HALLS ON ELECTION DAY.

13. ARTICLE 59 (IMMUNITIES OF CANDIDATES) (1) NO CANDIDATE MAY BE SUBJECT TO PREVENTATIVE DETENTION UNLESS FOR A CAPITAL CRIME. (2) INITIATION OF LEGAL PROCEEDINGS AGAINST ANY CANDIATE SHALL BE SUSPENDED PENDING ELECTION RESULTS.

14. ARTICLE 60 (SUBSTITUTION OF CANDIDATES) (1) CANDIDATES MAY BE SUBSTITUTED IN THE FOLLOWING CASES ONLY UP UNTIL 10 DAYS PRIOR TO THE ELECTION: A) PHYSICAL OR PSYCHOLOGICAL IMPAIRMENT; B) DEATH 15 DAYS PRIOR TO ELECTION DAY. (2) IF A SUBSTITUTE IS NOT AVAILABLE, THE NUMBER OF NAMES ON THE LIST WILL BE CORRESPONDINGLY REDUCED.

15. ARTICLE 61 (REPUBLICATION OF LIST) IN CASE OF SUBSTITUTIONS OR OTHER CHANGES IN THE LIST, A NEW LIST SHALL BE PUBLISHED.

16. ARTICLE 62 (WITHDRAWAL) (1) WITHDRAWAL OF A LIST IS PERMITTED UP TO 48 HOURS BEFORE ELECTION DAY. (2) WITHDRAWAL NOTICE SHALL BE COMMUNICATED TO THE ELECTORAL COMMISSION FOR ACTION TO PREVENT VOTING FOR THE LIST. END TEXT.  
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